

UNOFFICIAL VERSION

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THURSDAY, APRIL 5, 2018

SIXTY-EIGHTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Cardinal Justin Rigali, former Archbishop of Philadelphia from Knoxville, Tennessee, a guest of Senator Massey.

PLEDGE OF ALLEGIANCE

Senator Massey led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Massey led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

COMMUNICATION

April 5, 2018

Lt. Governor Randy McNally
Suite 1, Legislative Plaza
Nashville, Tennessee 37243

Dear Speaker McNally:

Please be advised that I will not be present for Session on Thursday, April 5, 2018. Please let this serve as proper notice of my absence.

All the best,

/s/ Lee Harris

APPROVED: Lieutenant Governor
Randy McNally

PRESENTATION

Senator Swann presented **Senate Joint Resolution No. 515** to the family of Ms. Elizabeth M. "Betty" Tinker.

PRESENTATION

Senator Bailey presented **Senate Joint Resolution No. 758** to the Upperman High School girls basketball team.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 1494, 1727, 1729, 1856, 1905, 2000, 2021, 2161, 2325, 2330 and 2681** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 1494 -- County Government -- As introduced, authorizes a county mayor or the executive of a county to evacuate the county or any portion thereof during a local state of emergency. Amends TCA Title 38, Chapter 9 and Title 58.

House Bill No. 1727 -- Eminent Domain -- As introduced, revises provisions governing condemned property being offered for sale to the former owner. Amends TCA Section 29-17-1005.

House Bill No. 1729 -- TennCare -- As introduced, requires the bureau of TennCare to submit an annual report of any cost savings in the medication therapy management program realized as a result of decreases in payments to health care providers to the chairs of the senate health and welfare committee and health committee of the house of representatives by March 1 of each year the pilot program is in operation. Amends TCA Title 8, Chapter 27 and Title 71, Chapter 5.

House Bill No. 1856 -- Adoption -- As introduced, extends from 30 days to 35 days the period of advance notice that licensed child-placing agencies and licensed clinical social workers must provide to the department of children's services before changing the fees charged for services provided to adoptive parents. Amends TCA Title 36 and Title 37, Chapter 5.

House Bill No. 1905 -- Capitol -- As introduced, administratively attaches the David Crockett commission to the department of finance and administration; creates a separate account within the treasury to be used to erect a monument; authorizes state funds to be used to erect a monument. Amends TCA Title 4, Chapter 8, Part 4.

House Bill No. 2000 -- Education -- As introduced, changes from "no less than three" to "up to three," the number of candidates that may be selected as finalists for chief executive officer of a public institution of higher education; specifies that school boards are not required to select candidates as finalists for the director of schools position, but, if a board chooses to do so, the board's policy must state that up to three candidates may be selected as finalists for the position. Amends TCA Title 49, Chapter 2 and Title 49, Chapter 7.

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House Bill No. 2021 -- Forfeiture of Assets -- As introduced, enacts the "U.S. Attorney General Edwin Meese Civil Asset Forfeiture Reform Act." Amends TCA Title 40, Chapter 33, Part 2.

House Bill No. 2161 -- Industrial Development -- As introduced, extends allocation of certain funds to Four Lake regional industrial development authority from fiscal year 2017-2018 to 2023-2024. Amends TCA Section 67-9-102.

House Bill No. 2325 -- Public Employees -- As introduced, requires the district attorneys general conference to report to the general assembly in January of each year with recommendations on combating opiate abuse, including recommended legislation to address law enforcement concerns raised by opioid abuse. Amends TCA Title 8 and Title 16.

House Bill No. 2330 -- Students -- As introduced, prohibits the use of corporal punishment against a student with a disability who has an IEP or a Section 504 plan. Amends TCA Title 49.

House Bill No. 2681 -- Historical Sites and Preservation -- As introduced, requires the Sam Davis Memorial Association to evaluate the maintenance and upkeep needs of the Sam Davis home and to report back to the chairs of the finance, ways and means committees of the house of representatives and the senate no later than January 15, 2019. Amends TCA Title 4.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 2753 and 2754** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 2753 Local bill -- held on desk.

Senate Bill No. 2754 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 859 and 861 through 863**; and **Senate Resolution No. 187** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 859 by Senator Norris.
Memorials, Retirement -- Barbara Gray.

Senate Joint Resolution No. 861 by Senator Dickerson.
General Assembly, Statement of Intent or Position -- Encourages stakeholders to work collaboratively to restore impaired waters of Harpeth River.

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Senate Joint Resolution No. 862 by Senator Ketron.
Memorials, Recognition -- Bethel United Methodist Church.

Senate Joint Resolution No. 863 by Senator Gresham.
Memorials, Death -- John Herman Baker.

Senate Resolution No. 187 by Senator Jackson.
Memorials, Interns -- Ameshia Forrest.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 1014 through 1020 and 1023 through 1064; Senate Joint Resolutions Nos. 827 through 835 and 837 through 858; and Senate Resolutions Nos. 182 through 186** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 1014 -- Memorials, Academic Achievement -- Jenna Brackett, Valedictorian, Heritage High School.

The Speaker announced that he had referred House Joint Resolution No. 1014 to the Committee on Calendar.

House Joint Resolution No. 1015 -- Memorials, Academic Achievement -- Emilee Grace Bowers, Salutatorian, Heritage High School.

The Speaker announced that he had referred House Joint Resolution No. 1015 to the Committee on Calendar.

House Joint Resolution No. 1016 -- Memorials, Retirement -- Mark S. Freedman.

The Speaker announced that he had referred House Joint Resolution No. 1016 to the Committee on Calendar.

House Joint Resolution No. 1017 -- Memorials, Recognition -- Eureka Lodge #3, 144th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1017 to the Committee on Calendar.

House Joint Resolution No. 1018 -- Memorials, Professional Achievement -- Karen Franklin, Senator Douglas Henry Award for Service to Children and Families at Risk.

The Speaker announced that he had referred House Joint Resolution No. 1018 to the Committee on Calendar.

House Joint Resolution No. 1019 -- Memorials, Recognition -- Scott Finney.

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The Speaker announced that he had referred House Joint Resolution No. 1019 to the Committee on Calendar.

House Joint Resolution No. 1020 -- Memorials, Sports -- Lipscomb University men's basketball team.

The Speaker announced that he had referred House Joint Resolution No. 1020 to the Committee on Calendar.

House Joint Resolution No. 1023 -- Memorials, Sports -- Hamilton High School boys' basketball team, TSSAA Class AA State Champions.

The Speaker announced that he had referred House Joint Resolution No. 1023 to the Committee on Calendar.

House Joint Resolution No. 1024 -- Memorials, Academic Achievement -- Sydnee Runions, Valedictorian, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1024 to the Committee on Calendar.

House Joint Resolution No. 1025 -- Memorials, Academic Achievement -- Aidan Britt, Salutatorian, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1025 to the Committee on Calendar.

House Joint Resolution No. 1026 -- Memorials, Academic Achievement -- Sydni McClain, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1026 to the Committee on Calendar.

House Joint Resolution No. 1027 -- Memorials, Academic Achievement -- Jaylee Warren, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1027 to the Committee on Calendar.

House Joint Resolution No. 1028 -- Memorials, Academic Achievement -- Braden Morris, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1028 to the Committee on Calendar.

House Joint Resolution No. 1029 -- Memorials, Academic Achievement -- John Austin Skelton, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1029 to the Committee on Calendar.

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House Joint Resolution No. 1030 -- Memorials, Academic Achievement -- Brittany Gobbell, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1030 to the Committee on Calendar.

House Joint Resolution No. 1031 -- Memorials, Academic Achievement -- Amelia Williams, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1031 to the Committee on Calendar.

House Joint Resolution No. 1032 -- Memorials, Academic Achievement -- Avery Davis, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1032 to the Committee on Calendar.

House Joint Resolution No. 1033 -- Memorials, Academic Achievement -- Makenna Vandygriffe, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1033 to the Committee on Calendar.

House Joint Resolution No. 1034 -- Memorials, Academic Achievement -- Mahalie Bree Stults, Valedictorian, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1034 to the Committee on Calendar.

House Joint Resolution No. 1035 -- Memorials, Academic Achievement -- Jonathan Taylor Keeton, Salutatorian, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1035 to the Committee on Calendar.

House Joint Resolution No. 1036 -- Memorials, Academic Achievement -- Maicee Ciara Burleson, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1036 to the Committee on Calendar.

House Joint Resolution No. 1037 -- Memorials, Academic Achievement -- Abigail Lynn Dial, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1037 to the Committee on Calendar.

House Joint Resolution No. 1038 -- Memorials, Academic Achievement -- Brooklyn Danielle Grimes, Top Ten Senior, Collinwood High School.

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The Speaker announced that he had referred House Joint Resolution No. 1038 to the Committee on Calendar.

House Joint Resolution No. 1039 -- Memorials, Academic Achievement -- Makenlee Grace Hensley, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1039 to the Committee on Calendar.

House Joint Resolution No. 1040 -- Memorials, Academic Achievement -- Addison Layne Holt, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1040 to the Committee on Calendar.

House Joint Resolution No. 1041 -- Memorials, Academic Achievement -- Chloe Wade Holt, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1041 to the Committee on Calendar.

House Joint Resolution No. 1042 -- Memorials, Academic Achievement -- Hayden Elizabeth Lee, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1042 to the Committee on Calendar.

House Joint Resolution No. 1043 -- Memorials, Academic Achievement -- Bailey Lynn Pigg, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1043 to the Committee on Calendar.

House Joint Resolution No. 1044 -- Memorials, Academic Achievement -- Ian Vaughn Pigg, Valedictorian, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1044 to the Committee on Calendar.

House Joint Resolution No. 1045 -- Memorials, Academic Achievement -- Morgan Malin Whitfield, Salutatorian, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1045 to the Committee on Calendar.

House Joint Resolution No. 1046 -- Memorials, Academic Achievement -- Ashlyn Rose Brown, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1046 to the Committee on Calendar.

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House Joint Resolution No. 1047 -- Memorials, Academic Achievement -- Shyanne Lashea Hobbs, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1047 to the Committee on Calendar.

House Joint Resolution No. 1048 -- Memorials, Academic Achievement -- Dionna LáKia Webb, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1048 to the Committee on Calendar.

House Joint Resolution No. 1049 -- Memorials, Academic Achievement -- Rachel Lynn Garrard, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1049 to the Committee on Calendar.

House Joint Resolution No. 1050 -- Memorials, Academic Achievement -- Anna Marie Moyers, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1050 to the Committee on Calendar.

House Joint Resolution No. 1051 -- Memorials, Academic Achievement -- Alexis Lauren Lineberry, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1051 to the Committee on Calendar.

House Joint Resolution No. 1052 -- Memorials, Academic Achievement -- Charles Raymond Brashier, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1052 to the Committee on Calendar.

House Joint Resolution No. 1053 -- Memorials, Academic Achievement -- Jonathan Mason Lineberry, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1053 to the Committee on Calendar.

House Joint Resolution No. 1054 -- Memorials, Recognition -- Azafran Park.

The Speaker announced that he had referred House Joint Resolution No. 1054 to the Committee on Calendar.

House Joint Resolution No. 1055 -- Memorials, Death -- Perry Wallace.

The Speaker announced that he had referred House Joint Resolution No. 1055 to the Committee on Calendar.

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House Joint Resolution No. 1056 -- Memorials, Recognition -- Dawana Watts Boone, Glenn Enhanced Option School 2017-2018 Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1056 to the Committee on Calendar.

House Joint Resolution No. 1057 -- Memorials, Recognition -- Hannah Maurice, Boys and Girls Clubs of Tennessee State Youth of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1057 to the Committee on Calendar.

House Joint Resolution No. 1058 -- Memorials, Recognition -- Charlie Kerns.

The Speaker announced that he had referred House Joint Resolution No. 1058 to the Committee on Calendar.

House Joint Resolution No. 1059 -- Memorials, Death -- Verda "Buddy" Cope, Jr.

The Speaker announced that he had referred House Joint Resolution No. 1059 to the Committee on Calendar.

House Joint Resolution No. 1060 -- Memorials, Sports -- Courtney Pritchett, 2017-2018 TSSAA Class A Miss Basketball.

The Speaker announced that he had referred House Joint Resolution No. 1060 to the Committee on Calendar.

House Joint Resolution No. 1061 -- Memorials, Death -- Autrey Eskew "Sarge" Dye, Sr.

The Speaker announced that he had referred House Joint Resolution No. 1061 to the Committee on Calendar.

House Joint Resolution No. 1062 -- Memorials, Sports -- Clay County High School boys' basketball team, TSSAA Class A State Tournament Elite Eight.

The Speaker announced that he had referred House Joint Resolution No. 1062 to the Committee on Calendar.

House Joint Resolution No. 1063 -- Memorials, Sports -- Pickett County High School girls' basketball team, TSSAA Class A State Tournament Elite Eight.

The Speaker announced that he had referred House Joint Resolution No. 1063 to the Committee on Calendar.

House Joint Resolution No. 1064 -- Memorials, Sports -- Macon County High School girls' basketball team, TSSAA Class AA State Runner-Up.

The Speaker announced that he had referred House Joint Resolution No. 1064 to the Committee on Calendar.

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Senate Joint Resolution No. 827 -- Memorials, Academic Achievement -- Trinity Allison Gooch.

The Speaker announced that he had referred Senate Joint Resolution No. 827 to the Committee on Calendar.

Senate Joint Resolution No. 828 -- Memorials, Academic Achievement -- Heidi Whitaker, Valedictorian, White County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 828 to the Committee on Calendar.

Senate Joint Resolution No. 829 -- Memorials, Academic Achievement -- Bryce Wilcoxson, Salutatorian, White County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 829 to the Committee on Calendar.

Senate Joint Resolution No. 830 -- Memorials, Recognition -- Bob Booker, Leadership Blount 2018 Community Leadership Award.

The Speaker announced that he had referred Senate Joint Resolution No. 830 to the Committee on Calendar.

Senate Joint Resolution No. 831 -- Memorials, Recognition -- Brock Cooper Garland, Leadership Blount 2018 Youth Leadership Award.

The Speaker announced that he had referred Senate Joint Resolution No. 831 to the Committee on Calendar.

Senate Joint Resolution No. 832 -- Memorials, Retirement -- Bob McNeill.

The Speaker announced that he had referred Senate Joint Resolution No. 832 to the Committee on Calendar.

Senate Joint Resolution No. 833 -- Memorials, Retirement -- Lee Chase.

The Speaker announced that he had referred Senate Joint Resolution No. 833 to the Committee on Calendar.

Senate Joint Resolution No. 834 -- Memorials, Interns -- Joshua M. Anderson.

The Speaker announced that he had referred Senate Joint Resolution No. 834 to the Committee on Calendar.

Senate Joint Resolution No. 835 -- Memorials, Interns -- Janita Hendricks.

The Speaker announced that he had referred Senate Joint Resolution No. 835 to the Committee on Calendar.

Senate Joint Resolution No. 837 -- Memorials, Public Service -- Anita King.

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The Speaker announced that he had referred Senate Joint Resolution No. 837 to the Committee on Calendar.

Senate Joint Resolution No. 838 -- Memorials, Public Service -- Earle King.

The Speaker announced that he had referred Senate Joint Resolution No. 838 to the Committee on Calendar.

Senate Joint Resolution No. 839 -- Memorials, Heroism -- the late Lt. Douglas Milford Lyons.

The Speaker announced that he had referred Senate Joint Resolution No. 839 to the Committee on Calendar.

Senate Joint Resolution No. 840 -- Memorials, Death -- Patricia Ann "Patty Ann" Alexander Hanna.

The Speaker announced that he had referred Senate Joint Resolution No. 840 to the Committee on Calendar.

Senate Joint Resolution No. 841 -- Memorials, Academic Achievement -- Kaitlyn Steele, Valedictorian, Pleasant View Christian School.

The Speaker announced that he had referred Senate Joint Resolution No. 841 to the Committee on Calendar.

Senate Joint Resolution No. 842 -- Memorials, Academic Achievement -- Russell Holman, Salutatorian, Pleasant View Christian School.

The Speaker announced that he had referred Senate Joint Resolution No. 842 to the Committee on Calendar.

Senate Joint Resolution No. 843 -- General Assembly, Confirmation of Appointment -- John Hie, Tennessee Public Utility Commission.

The Speaker announced that he had referred Senate Joint Resolution No. 843 to the Committee on Finance, Ways and Means.

Senate Joint Resolution No. 844 -- Memorials, Academic Achievement -- Tessie McNeely, Valedictorian, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 844 to the Committee on Calendar.

Senate Joint Resolution No. 845 -- Memorials, Academic Achievement -- Emily Caprio, Salutatorian, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 845 to the Committee on Calendar.

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Senate Joint Resolution No. 846 -- Memorials, Academic Achievement -- Carolyn Leavitt, Third Top Graduate, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 846 to the Committee on Calendar.

Senate Joint Resolution No. 847 -- Memorials, Academic Achievement -- Ty Banks, Fourth Top Graduate, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 847 to the Committee on Calendar.

Senate Joint Resolution No. 848 -- Memorials, Academic Achievement -- Tia Runions, Fifth Top Graduate, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 848 to the Committee on Calendar.

Senate Joint Resolution No. 849 -- Memorials, Academic Achievement -- Kaulin Duncan, Sixth Top Graduate, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 849 to the Committee on Calendar.

Senate Joint Resolution No. 850 -- Memorials, Academic Achievement -- Jackson Jalomo, Seventh Top Graduate, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 850 to the Committee on Calendar.

Senate Joint Resolution No. 851 -- Memorials, Academic Achievement -- Madison Burkhead, Eighth Top Graduate, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 851 to the Committee on Calendar.

Senate Joint Resolution No. 852 -- Memorials, Academic Achievement -- Treton Davis, Ninth Top Graduate, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 852 to the Committee on Calendar.

Senate Joint Resolution No. 853 -- Memorials, Academic Achievement -- Rebecca Pitts, Tenth Top Graduate, Lewis County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 853 to the Committee on Calendar.

Senate Joint Resolution No. 854 -- Memorials, Interns -- Aaron Sorenson.

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The Speaker announced that he had referred Senate Joint Resolution No. 854 to the Committee on Calendar.

Senate Joint Resolution No. 855 -- General Assembly, Confirmation of Appointment -- David F. Jones, Tennessee Public Utility Commission.

The Speaker announced that he had referred Senate Joint Resolution No. 855 to the Committee on Finance, Ways and Means.

Senate Joint Resolution No. 856 -- Memorials, Death -- Judge M. Keith Siskin.

The Speaker announced that he had referred Senate Joint Resolution No. 856 to the Committee on Calendar.

Senate Joint Resolution No. 857 -- Memorials, Academic Achievement -- Matthew Lynn, Valedictorian, Smith County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 857 to the Committee on Calendar.

Senate Joint Resolution No. 858 -- Memorials, Retirement -- Mel Brown.

The Speaker announced that he had referred Senate Joint Resolution No. 858 to the Committee on Calendar.

Senate Resolution No. 182 -- Memorials, Interns -- Madeline Deffendall.

The Speaker announced that he had referred Senate Resolution No. 182 to the Committee on Calendar.

Senate Resolution No. 183 -- Memorials, Recognition -- Anita S. Vaughn.

The Speaker announced that he had referred Senate Resolution No. 183 to the Committee on Calendar.

Senate Resolution No. 184 -- Memorials, Recognition -- Rev. Sonia Loudon Walker.

The Speaker announced that he had referred Senate Resolution No. 184 to the Committee on Calendar.

Senate Resolution No. 185 -- Memorials, Recognition -- Fredrika "Freddi" Felt.

The Speaker announced that he had referred Senate Resolution No. 185 to the Committee on Calendar.

Senate Resolution No. 186 -- Memorials, Death -- Esther Smith Gurkin.

The Speaker announced that he had referred Senate Resolution No. 186 to the Committee on Calendar.

CONSENT CALENDAR

Senate Joint Resolution No. 817 -- Memorials, Sports -- Shelley Sexton Collier.

Senate Joint Resolution No. 818 -- Memorials, Death -- Reverend Michael Williams.

Senate Joint Resolution No. 819 -- Memorials, Sports -- Memphis Pride Mini Storm.

Senate Joint Resolution No. 820 -- Memorials, Recognition -- Greeneville Kiwanis Club, 60th Anniversary.

Senate Joint Resolution No. 821 -- Memorials, Public Service -- Chief Johnny Powers, South Greene Volunteer Fire Department.

House Joint Resolution No. 875 -- Memorials, Public Service -- Representative Harry Brooks.

House Joint Resolution No. 904 -- Memorials, Public Service -- Representative Jimmy Eldridge.

House Joint Resolution No. 910 -- Memorials, Public Service -- Representative Joe Pitts.

House Joint Resolution No. 934 -- Memorials, Public Service -- Representative John Forgety.

House Joint Resolution No. 984 -- Memorials, Professional Achievement -- Dr. Randy Hammon, 2018 TVMA Lifetime Achievement Award.

House Joint Resolution No. 986 -- Memorials, Professional Achievement -- Bryan Schultz, Knox County Teacher of the Year.

House Joint Resolution No. 987 -- Memorials, Professional Achievement -- Madison Snyder, Knox County Teacher of the Year.

House Joint Resolution No. 988 -- Memorials, Professional Achievement -- J.T. Hicks, Knox County Teacher of the Year.

House Joint Resolution No. 989 -- Memorials, Academic Achievement -- Warren Sims, Valedictorian, Sequatchie County High School.

House Joint Resolution No. 990 -- Memorials, Academic Achievement -- Savannah Land, Salutatorian, Sequatchie County High School.

House Joint Resolution No. 991 -- Memorials, Academic Achievement -- Emily Oakes, Salutatorian, Bledsoe County High School.

House Joint Resolution No. 992 -- Memorials, Academic Achievement -- Timothy Hawn, Valedictorian, Bledsoe County High School.

House Joint Resolution No. 993 -- Memorials, Interns -- Hunter Sinclair.

House Joint Resolution No. 995 -- Memorials, Recognition -- Tina Fox.

Senator Roberts moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 1653 -- Obion County -- Subject to local approval, clarifies that the proceeds from the hotel/motel taxes in Obion County that currently go to Reelfoot Lake Tourism shall now be deposited in the general fund. Amends Chapter 133 of the Private Acts of 1991.

On motion, Senate Bill No. 1653 was made to conform with **House Bill No. 2339**.

On motion, House Bill No. 2339, on same subject, was substituted for Senate Bill No. 1653.

Senate Bill No. 2734 -- Dickson County -- Subject to local approval, removes probate and conservatorship jurisdiction from the Probate and Juvenile Court of Dickson County; renames court Juvenile Court of Dickson County. Amends Chapter 267 of the Private Acts of 1982.

On motion, Senate Bill No. 2734 was made to conform with **House Bill No. 2706**.

On motion, House Bill No. 2706, on same subject, was substituted for Senate Bill No. 2734.

Senator Roberts moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 270 -- Motor Vehicles, Titling and Registration -- As introduced, exempts active, volunteer firefighters and rescue squad members from payment of the regular registration fee

at the time of renewal for any license plate issued to the volunteer firefighter or rescue squad member. Amends TCA Title 55, Chapter 4.

Senator Haile declared Rule 13 on **Senate Bill No. 270**.

Senator Bailey moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-241(a), is amended by adding the following at the end of the subsection immediately preceding the period (.):

; except, that any active volunteer firefighter who has at least one (1) year of service shall be exempt, at the time of renewal, from the applicable registration fee for only one (1) motor vehicle, upon the certification or sworn statement from the chief of the fire department to which the person is attached confirming the person is an active volunteer firefighter

SECTION 2. Tennessee Code Annotated, Section 55-4-222(d), is amended by adding the following at the end of the first sentence immediately preceding the period (.):

; except, that any active volunteer member of a local rescue squad who has at least one (1) year of service shall be exempt, at the time of renewal, from the regular license fee for only one (1) motor vehicle, upon the certification or sworn statement from the captain of the local rescue squad to which the person is attached confirming the person is an active volunteer member

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 4, Part 1, is amended by adding the following as a new section:

(a) Any owner or lessee of a motor vehicle who is a resident of this state, is an active member of a volunteer fire department, and has at least one (1) year of service shall be exempt, at the time of renewal, from the regular registration fee imposed pursuant to § 55-4-111, for only one (1) vehicle owned or used by the firefighter, upon the certification or sworn statement from the chief of the fire department to which the person is attached confirming the applicant is an active volunteer member, and upon compliance with state motor vehicle registration and licensing laws.

(b) Any owner or lessee of a motor vehicle who is a resident of this state, is an active member of a volunteer local rescue squad, and has at least one (1) year of service shall be exempt, at the time of renewal, from the regular registration fee imposed pursuant to § 55-4-111, for only one (1) vehicle owned or used by the member, upon certification or sworn statement from the captain of the local rescue squad to which the person is attached confirming the applicant is an active volunteer member, and upon compliance with state motor vehicle registration and licensing laws.

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SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to registration plates issued or renewed on or after such date.

On motion, Amendment No. 2 was adopted.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 270**, as amended, passed its third and final consideration by the following vote:

Ayes 29
Noes 1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--29.

Senator voting no was: Gardenhire--1.

A motion to reconsider was tabled.

Senator Gresham moved that **Senate Bill No. 578** be placed on the Calendar for Thursday, April 12, 2018, which motion prevailed.

Senator Yager moved that **Senate Bill No. 891** be placed on the Calendar for Thursday, April 12, 2018, which motion prevailed.

Senate Bill No. 900 -- Judges and Chancellors -- As introduced, extends, by five days, the deadline by which the board of judicial conduct must transmit reports on the number and disposition of complaints opened to the general assembly. Amends TCA Title 4; Title 16 and Title 17.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 17-2-303(b)(1), is amended by deleting the period "." and substituting instead the following at the end of the subdivision:

; provided, that such commission shall be issued only to a former justice or judge who left the justice's or judge's most recent term of judicial service in good standing with the board of judicial conduct or any successor to the board.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

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Thereupon, **Senate Bill No. 900**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1614 -- Local Government, General -- As introduced, prohibits local legislative body from imposing term limits on a person appointed to a board by the mayor if the person serves without compensation, not including travel and expenses. Amends TCA Title 5; Title 6 and Title 7.

On motion, Senate Bill No. 1614 was made to conform with **House Bill No. 1557**.

On motion, House Bill No. 1557, on same subject, was substituted for Senate Bill No. 1614.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1557** passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1987 -- Forfeiture of Assets -- As introduced, enacts the "U.S. Attorney General Edwin Meese Civil Asset Forfeiture Reform Act." Amends TCA Title 40, Chapter 33, Part 2.

On motion, Senate Bill No. 1987 was made to conform with **House Bill No. 2021**.

On motion, House Bill No. 2021, on same subject, was substituted for Senate Bill No. 1987.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2021** passed its third and final consideration by the following vote:

Ayes 30
Noes 0

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Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 2212 -- Business and Commerce -- As introduced, removes from TCA a status report on a web page project by the office of small business advocate to the commerce and labor committee of the senate and the business and utilities committee of the house of representatives that was due no later than February 15, 2013. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 47; Title 48; Title 61 and Title 67.

On motion, Senate Bill No. 2212 was made to conform with **House Bill No. 1975**.

On motion, House Bill No. 1975, on same subject, was substituted for Senate Bill No. 2212.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1975** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Swann moved that **Senate Bill No. 2214** be placed on the Calendar for Thursday, April 12, 2018, which motion prevailed.

Senator Bell moved that **Senate Bill No. 2293** be rereferred to the Committee on Calendar, which motion prevailed.

Mr. Speaker McNally moved that **Senate Bill No. 2332** be placed at the heel of the Calendar for today, which motion prevailed.

Mr. Speaker McNally moved that **Senate Bill No. 2333** be placed at the heel of the Calendar for today, which motion prevailed.

Senate Bill No. 2369 -- Firearms and Ammunition -- As introduced, authorizes an individual, business entity, or government entity to allow the concealed carry of handguns by handgun carry permit holders on the individual's or entity's property while prohibiting other weapons or the open carry of firearms; establishes posting requirements for "concealed firearms only" signage. Amends TCA Section 39-17-1359.

On motion, Senate Bill No. 2369 was made to conform with **House Bill No. 2370**.

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On motion, House Bill No. 2370, on same subject, was substituted for Senate Bill No. 2369.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting in subdivision (b)(3)(C) in the amendatory language of Section 3 the language "CONCEALED FIREARMS ONLY" wherever it appears and substituting instead the language "CONCEALED FIREARMS BY PERMIT ONLY".

AND FURTHER AMEND by deleting from subdivision (b)(3)(C)(ii) of the amendatory language of Section 3 the language "and an image of an eyeball".

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2370**, as amended, passed its third and final consideration by the following vote:

Ayes	26
Noes	0
Present, not voting . . .	1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Harper, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson, Yager and Mr. Speaker McNally--26.

Senator present and not voting was: Yarbro--1.

A motion to reconsider was tabled.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Haile as Speaker pro tempore.

Senator Lundberg moved that **Senate Bill No. 2381** be placed on the Calendar for Thursday, April 12, 2018, which motion prevailed.

Senate Bill No. 2392 -- Education -- As introduced, authorizes the board of trustees of the college savings trust fund program to seek rulings from the department of treasury and internal revenue service about the program. Amends TCA Title 49, Chapter 7, Part 8.

On motion, Senate Bill No. 2392 was made to conform with **House Bill No. 2438**.

On motion, House Bill No. 2438, on same subject, was substituted for Senate Bill No. 2392.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2438** passed its third and final consideration by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson, Yager and Yarbrow--28.

A motion to reconsider was tabled.

Senate Bill No. 2443 -- State Employees -- As introduced, requires commissioner of human resources to establish initial period of probation for employees in preferred service of the state that does not exceed six months rather than a period that is not less than one year. Amends TCA Title 8, Chapter 30.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-30-308, is amended by adding the following new subsection:

(c) An employee in the preferred service who accepts another preferred service position within the same state agency shall serve a subsequent probationary period for a time period of not less than one (1) year. An employee serving a subsequent probationary period may appeal a suspension, demotion, or separation from service; provided, that an employee shall not appeal a demotion that returns the employee to the employee's immediately preceding former position.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2443**, as amended, passed its third and final consideration by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson, Yager and Yarbrow--28.

A motion to reconsider was tabled.

Senate Bill No. 2458 -- Professions and Occupations -- As introduced, establishes apprenticeship programs for professions regulated by entities administratively attached to the division of professional regulatory boards. Amends TCA Title 62, Chapter 76, Part 2.

Senator Johnson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Roberts moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Roberts moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 76, Part 2, is amended by deleting the part and substituting instead the following:

62-76-201.

As used in this part:

(1) "Apprenticeship" means a program that:

(A) Meets the federal guidelines set out in 29 CFR Part 29 and 29 U.S.C. § 50; and

(B) Complies with this part and the guidelines established pursuant to § 62-76-202;

(2) "Licensing authority" means any state agency with the authority to impose training, education, or licensure fees to practice in a profession; and

(3) "State agency" means a state board, agency, or commission attached to the division of regulatory boards, as listed in § 4-3-1304(a).

62-76-202.

(a) Notwithstanding any law to the contrary and in addition to any other process by which a person may be granted a license pursuant to state law, a licensing authority shall also grant a license, unless other cause for denial of the issuance of the license exists, to any applicant who:

(1) Possesses a high school diploma or its equivalent, which shall include a general educational development (GED®) certificate;

(2) Has completed an apprenticeship that requires the applicant to learn the skills and knowledge relevant to the chosen profession under the direct supervision and instruction of a person duly licensed, registered, or certified to practice in the applicant's chosen profession and provides sufficient documentation to the licensing authority of completion of the apprenticeship;

(3) Has passed any examination required under law to become licensed, registered, or certified to practice in the applicant's chosen profession; and

(4) Has paid any fees required by the licensing authority for the license.

(b)(1) Each licensing authority may limit the amount of time or number of attempts following completion of an apprenticeship that an applicant has to pass any required examinations. However, the amount of time or number of attempts to pass any required examination must not be more restrictive than any limits placed on any other person attempting to pass the examination after otherwise qualifying to take the examination.

(2) If the relevant licensing authority does not require an examination of any other person applying to practice in that profession, no examination is required for applicants who complete an apprenticeship under this part.

(c) Each licensing authority shall determine the duration of any apprenticeship for the profession that the authority regulates. A licensing authority shall grant apprentice status to a person only once under this part.

(d) Each licensing authority shall require that an apprentice register with the licensing authority and may set reasonable fees for registration or other transactions, such as changes of address or issuance of duplicate credentials. An apprentice is authorized to engage in acts requiring licensure by the licensing authority under the direct supervision and instruction of a professional licensed to practice in the applicant's chosen profession. However, the licensing authority may set limits on the apprentice's practice as are reasonably necessary to protect the health, safety, and welfare of the public.

(e) Any licensing authority creating an apprentice program under this part shall promulgate rules to effectuate this part, including guidelines for any apprenticeship program created pursuant to this part. All rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(f) Nothing in this part requires any state agency to create an apprenticeship.

(g) A licensing authority may refuse to issue an apprentice registration to any person for any reason, other than experience or education, that the licensing authority could deny issuance of a regular license in the apprentice's chosen profession. Further, no apprentice registration may be issued to any person who could not be issued a regular license in the apprentice's chosen profession.

(h) This section does not apply to licensing authorities providing licensure pursuant to the Contractors Licensing Act of 1994, compiled in chapter 6, part 1 of this title.

62-76-203.

(a) Nothing in this part overrides any of the requirements of the following:

(1) Instructor trainee programs, junior instructor programs, or apprenticeships under the Tennessee Cosmetology and Barbering Act, compiled in chapter 4 of this title;

(2) Apprenticeships under chapter 5 of this title;

(3) Apprenticeships under the Locksmith Licensing Act of 2006, compiled in chapter 11 of this title;

(4) Affiliate broker programs under the Tennessee Real Estate Broker License Act of 1973, compiled in chapter 13 of this title;

(5) Apprenticeships under chapter 19 of this title;

(6) Apprenticeships under the Private Investigators Licensing and Regulatory Act, compiled in chapter 26 of this title;

(7) Internships under the Polygraph Examiners Act, compiled in chapter 27 of this title; or

(8) Appraiser trainee programs under the State Licensing and Certified Real Estate Appraisers Law, compiled in chapter 39 of this title.

(b) If a program, apprenticeship, or internship as described in subsection (a) or by rule exists for a profession, then a licensing authority shall not create a separate apprentice program under this part for that profession.

SECTION 2. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2019, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

On motion of Senator Roberts, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 2458**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 864**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 864 by Senator Norris.

General Assembly, Recess & Reconvene -- Recesses Senate at the close of business on April 5, 2018, and reconvenes on April 11, 2018, at 8:30 a.m.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 864** was adopted.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 2501 -- Public Contracts -- As introduced, specifies the processes by which a contract for construction of buildings or improvements, the expenditure for which is estimated, projected, or budgeted to be \$1 million or more, may be awarded. Amends TCA Section 12-4-107.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 12-4-107(a), is amended by deleting the following language:

All contracts for architectural, engineering and construction services procured by any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute shall meet the following requirements:

and by substituting instead the following:

All contracts for architectural and engineering services procured by any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute, and all contracts for construction services procured by any county, city, metropolitan government, or town for projects described in subsection (b), shall meet the following requirements:

SECTION 2. Tennessee Code Annotated, Section 12-4-107, is amended by deleting subsection (b) and substituting instead the following:

(b) Construction projects of a county, city, metropolitan government, or town shall meet the following requirements:

(1) For construction of local projects or additions to existing buildings, a county, city, metropolitan government, or town may contract for construction management agent or advisor services or construction manager at-risk services. Construction management services may be performed by a qualified person licensed under the Contractors Licensing Act of 1994, compiled in title 62, chapter 6, part 1. Construction management services are to be procured for each project through a written request for proposals process through advertisement. The procurement and advertisement shall be in accordance with the laws, regulations, and ordinances of the county, city, metropolitan government, or town. The written request for proposals process shall invite prospective proposers to participate and shall indicate the service requirements and the factors used for evaluating the proposals. These factors may include the construction manager's qualifications and experience on similar projects, qualifications of personnel to be assigned to the project, fees and costs, or any additional factors deemed relevant by the procuring entity for procurement of the service. The contract for such services shall be awarded to the best qualified and responsive responder. A construction manager agent or advisor is prohibited from undertaking actual construction work on a project over which the construction manager agent or advisor coordinates or oversees the planning, bid, or construction phases of the project, except in instances when bids have been solicited twice and no bids have been submitted. If the construction manager agent or advisor can document that a good faith effort was made in each bid solicitation to obtain bids and no bids were received, then the construction manager agent or advisor may perform the construction work at a price agreed upon by the construction manager agent or advisor, the architect, and the owner of the project. A governing body, at its own discretion, may perform work on the project with its own employees and may include the coordination and oversight of this work as part of the services of the construction manager agent or advisor. Sealed bids for actual construction work shall be opened at the bid opening and the names of the contractors and their bid amounts shall be announced.

(2) Construction management agent or advisor services or construction manager at-risk services for the construction of local projects or additions to existing buildings may be performed by:

(A) A general contractor licensed in this state pursuant to the Contractors Licensing Act of 1994, compiled in title 62, chapter 6, part 1; provided, that none of such services performed by a general

contractor involve any of the services exempt from the requirements of title 62, chapter 6, part 1 as "normal architectural and engineering services" under § 62-6-102(4)(B), unless, with regard to the performance of any services defined as normal architectural and engineering services, the general contractor is also licensed as an architect or engineer under title 62, chapter 2; or

(B) An architect or an engineer licensed pursuant to title 62, chapter 2; provided, that none of such services performed by an architect or engineer involve any of the services required to be performed by a contractor within the definition of "contractor" under § 62-6-102, unless with regard to the performance of any services included within the definition of "contractor", the architect or engineer is also licensed as a contractor under the Contractors Licensing Act of 1994, compiled in title 62, chapter 6, part 1.

(3) Construction work that is under the coordination and oversight of a construction manager shall be procured through competitive bids.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2501**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Yarbro--30.

A motion to reconsider was tabled.

Senate Bill No. 2586 -- Education -- As introduced, changes from "no less than three" to "up to three," the number of candidates that may be selected as finalists for chief executive officer of a public institution of higher education; specifies that school boards are not required to select candidates as finalists for the director of schools position, but, if a board chooses to do so, the board's policy must state that up to three candidates may be selected as finalists for the position. Amends TCA Title 49, Chapter 2 and Title 49, Chapter 7.

On motion, Senate Bill No. 2586 was made to conform with **House Bill No. 2000**.

On motion, House Bill No. 2000, on same subject, was substituted for Senate Bill No. 2586.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

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Thereupon, **House Bill No. 2000** passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Yarbro--30.

A motion to reconsider was tabled.

Senate Bill No. 2639 -- TennCare -- As introduced, requires the bureau of TennCare to submit an annual report of any cost savings in the medication therapy management program realized as a result of decreases in payments to health care providers to the chairs of the senate health and welfare committee and health committee of the house of representatives by March 1 of each year the pilot program is in operation. Amends TCA Title 8, Chapter 27 and Title 71, Chapter 5.

On motion, Senate Bill No. 2639 was made to conform with **House Bill No. 1729**.

On motion, House Bill No. 1729, on same subject, was substituted for Senate Bill No. 2639.

Senator Crowe moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

On motion of Senator Johnson, Amendment No. 2 was withdrawn.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1729** passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2641 -- Museums -- As introduced, revises various provisions concerning the state museum and the Douglas Henry State Museum Commission, including adding the new facility located at 1000 Rosa L. Parks Boulevard. Amends TCA Title 4.

On motion, Senate Bill No. 2641 was made to conform with **House Bill No. 2235**.

On motion, House Bill No. 2235, on same subject, was substituted for Senate Bill No. 2641.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 4-20-301, is amended by deleting subsection (j) and substituting instead the following:

(j) A commission member shall continue to serve until a successor is appointed by the appropriate appointing authority. All vacancies shall be filled for the balance of the unexpired term in the same manner as original appointments.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2235**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2654 -- Museums -- As introduced, generalizes location of the state museum to Nashville instead of the James K. Polk State Office Building and War Memorial Building. Amends TCA Title 4, Chapter 12, Part 1.

On motion, Senate Bill No. 2654 was made to conform with **House Bill No. 2082**.

On motion, House Bill No. 2082, on same subject, was substituted for Senate Bill No. 2654.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Senator Watson moved that **House Bill No. 2082** be placed on the Calendar for Wednesday, April 11, 2018, which motion prevailed.

Senate Bill No. 2722 -- Historical Sites and Preservation -- As introduced, requires the Sam Davis Memorial Association to evaluate the maintenance and upkeep needs of the Sam Davis home and to report back to the chairs of the finance, ways and means committees of the house of representatives and the senate no later than January 15, 2019. Amends TCA Title 4.

On motion, Senate Bill No. 2722 was made to conform with **House Bill No. 2681**.

On motion, House Bill No. 2681, on same subject, was substituted for Senate Bill No. 2722.

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On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2681** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senator Southerland moved that **House Joint Resolution No. 683** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Gardenhire moved that **Senate Bill No. 1755** be placed on the Calendar for Wednesday, April 11, 2018, which motion prevailed.

Senator Gresham moved that **Senate Bill No. 1842** be placed on the Calendar for Wednesday, April 11, 2018, which motion prevailed.

Senator Bailey moved that **Senate Bill No. 2388** be rereferred to the Committee on Transportation and Safety, which motion prevailed.

Senate Bill No. 1086 -- Real Property -- As introduced, enacts the "Short-Term Rental Unit Act" and revises other provisions concerning short-term rentals, including taxation. Amends TCA Title 5; Title 6; Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68.

Senator Norris declared Rule 13 on **Senate Bill No. 1086**.

On motion, Senate Bill No. 1086 was made to conform with **House Bill No. 1020**.

On motion, House Bill No. 1020, on same subject, was substituted for Senate Bill No. 1086.

Senator Johnson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the caption and substituting instead the following:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 7, is amended by adding the following new part:

13-7-601.

This part shall be known and may be cited as the "Short-Term Rental Unit Act."

13-7-602.

As used in this part:

(1) "Effectively prohibit" means a local governing body acts or fails to act in a manner that prevents a property owner from using the owner's property as a short-term rental unit after reasonable compliance with generally applicable local laws;

(2) "Generally applicable local law" means an ordinance, resolution, regulation, rule, or other requirement of any type other than zoning enacted, maintained, or enforced by a local governing body that applies to all property or use of all property and does not apply only to property used as a short-term rental unit;

(3) "Lawfully used as a short-term rental unit" means the property was held out to the public for use as a short-term rental unit. "Lawfully used as a short-term rental unit" may be established through a listing of the property on a short-term rental unit listing service, a written agreement between a short-term rental unit provider and a tenant to rent the property, or tax documents showing payment of any type of taxes, including, but not limited to, federal income taxes or any tax levied pursuant to title 67, on the renting of a short-term rental unit. However, for purposes of property that began being used as a short-term rental unit within the jurisdiction of a local governing body that required a permit to be issued prior to using the property as a short-term rental unit, "lawfully used as a short-term rental unit" may only be established through a permit having been issued by the local governing body to the property;

(4) "Local governing body" means the legislative body of a city, municipality, county, or other political subdivision of this state that has authority to enact a zoning ordinance, resolution, regulation, rule, or other requirement of any type regarding land use in its jurisdiction;

(5) "Residential dwelling" means a house or structure used or designed to be used as an abode or home of a person, family, or household, and includes a single-family dwelling, a portion of a single-family dwelling, or an individual residential dwelling in a multi-dwelling building, such as an apartment building, condominium, cooperative, or timeshare;

(6) "Prohibit" means to forbid or ban the operation of short-term rental units, either permanently or temporarily, within a local governing body's jurisdiction, portion of the local governing body's jurisdiction, or a portion of an owner's property;

(7) "Property" is a tract of land as recorded with the register of deeds office of the county where the property is located;

(8) "Provider" means any person engaged in renting a short-term rental unit;

(9) "Short-term rental unit" or "unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and does not include a hotel as defined in § 68-14-302 or a bed and breakfast establishment or a bed and breakfast homestay as those terms are defined in § 68-14-502; and

(10) "Short-term rental unit listing service" means a person that facilitates or arranges the renting of short-term rental units, whether through the listing of short-term rental units on a website or through other means.

13-7-603.

(a) Except as otherwise provided in § 13-7-605 and subsection (b), an ordinance, resolution, regulation, rule, or other requirement of any type that prohibits, effectively prohibits, or otherwise regulates the use of property as a short-term rental unit shall not apply to property if the property was being lawfully used as a short-term rental unit by the owner of the property prior to the enactment of the ordinance, resolution, regulation, rule, or other requirement by the local governing body. The ordinance, resolution, regulation, rule, or other requirement in effect at the time the property began being lawfully used as a short-term rental unit is the law that governs the use of the property as a short-term rental unit until the property ceases being used as a short-term rental unit for a period of thirty (30) continuous months. For purposes of this subsection (a), an ordinance, resolution, regulation, rule, or other requirement is in effect at the time it is lawfully enacted by the local governing body and not the time in which it is introduced for consideration by the local governing body. It is the intent of this subsection (a) to provide an owner of property with continued lawful use of the property without impairment from a local governing body.

(b) Notwithstanding subsection (a), an ordinance, resolution, regulation, rule, or other requirement of any type enacted prior to January 1, 2014, that prohibits or effectively prohibits the use of property as a short-term rental unit may apply to any property within a local governing body's jurisdiction, regardless of the property's existing use. However, this subsection (b) applies only to ordinances, resolutions, regulations, rules, or other requirements that expressly limit the period of time a residential dwelling may be rented, and does not apply to ordinances, resolutions, regulations, rules, or other requirements that generally prohibit commercial activity or the renting of residential dwellings to transients. It is the intent of this subsection (b) to grandfather ordinances, resolutions, regulations, rules, or other requirements that provided notice to property owners that renting a residential dwelling unit under a specified period of time was unlawful prior to a substantial number of property owners using their property as short-term rental units.

13-7-604.

(a) Section 13-7-603 does not prevent a local governing body from prohibiting, effectively prohibiting, or otherwise regulating the continued use of property as a short-term rental unit if, as a direct result of the operation of the

short-term rental unit, the unit has been in violation of a generally applicable local law related to noise, parking, or habitability standards three (3) or more separate times within a twelve-month period, and the provider has no appeal rights remaining for any of the three (3) violations. The burden of proof that a violation of a generally applicable local law was a direct result of the operation of the short-term rental unit is on the local governing body.

(b) The local governing body may authorize short-term rental units through a permitting process, as long as the permitting process does not prohibit the continued use of property as provided in § 13-7-603(a) or otherwise conflict with this part. A local governing body that accepts public complaints regarding the operation of short-term rental units in its jurisdiction pursuant to a permitting process shall assure that all complainants are notified that any false complaint made against a short-term rental unit provider shall be punished as perjury under § 39-16-702.

(c) Any suspension or revocation of a right to operate a short-term rental unit by a local governing body shall not exceed twelve (12) continuous months.

13-7-605.

(a) If a local governing body prohibits, effectively prohibits, or otherwise regulates the use of property as a short-term rental unit, the provider has the right to appeal the prohibition or limitation to the local board of zoning appeals. A decision of the local board of zoning appeals is appealable by the provider. The circuit or chancery court has jurisdiction of any appeal instituted by a provider pursuant to this subsection (a) and review is de novo.

(b) Any person injured as a result of a local governing body violating this part may bring an action in the circuit or chancery court having jurisdiction over the property upon which the short-term rental unit is located. The court may award actual damages to a plaintiff who prevails in an action brought pursuant to this part, including costs and reasonable attorney fees.

13-7-606.

Nothing in this part prohibits:

(1) A condominium, co-op, homeowners association, or other similar entity from prohibiting or otherwise restricting an owner of property within the jurisdiction of the condominium, co-op, association, or other similar entity from using the owner's property as a short-term rental unit as provided for in the entity's governing documents;

(2) A lessor, through the terms of a lease agreement, from restricting the use of the leased property as a short-term rental unit; or

(3) A property owner from placing a restrictive covenant or easement on the property that restricts the future use of the property as a short-term rental unit as authorized under existing law.

13-7-607.

For purposes of determining land use or utility rates, when determining whether a property conforms to the requirements of a residential zone or residential use, a local governing body or a municipal utility shall not consider the leasing of a residential dwelling as a short-term rental unit as commercial activity, regardless of the term of the lease agreement.

13-7-608.

This part supersedes any ordinance, resolution, regulation, rule, or other requirement of any type enacted, maintained, or enforced by a local governing body that is in conflict with this part.

SECTION 2. Tennessee Code Annotated, Section 68-14-302(6), is amended by adding the following language to the end of the subdivision:

"hotel" does not include a short-term rental unit, as defined in § 13-7-602;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

SPEAKER RESUMES CHAIR

Mr. Speaker McNally resumed the Chair.

PRESENTATION

U.S. Senator Bob Corker made remarks to the Senate.

CALENDAR

FURTHER ACTION ON HOUSE BILL NO. 1020

On motion, Amendment No. 2 was adopted by the following vote:

Ayes	18
Noes	10
Present, not voting . . .	1

Senators voting aye were: Bailey, Bell, Bowling, Crowe, Green, Gresham, Hensley, Jackson, Johnson, Kelsey, Ketron, Niceley, Pody, Reeves, Roberts, Stevens, Yager and Mr. Speaker McNally--18.

Senators voting no were: Briggs, Dickerson, Gardenhire, Haile, Kyle, Lundberg, Massey, Southerland, Swann and Watson--10.

Senator present and not voting was: Yarbrow--1.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting Section 3 and substituting instead the following:

SECTION 3. For purposes of § 13-7-605(b), this act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to actions that accrue on or after that date. For all other purposes, this act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Senator Watson moved that Amendment No. 4 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved that Amendment No. 5 be placed behind Amendment No. 4, which motion prevailed.

On motion of Senator Swann, Amendment No. 6 was withdrawn.

Senator Stevens moved to amend as follows:

AMENDMENT NO. 7

AMEND by deleting the language "13-7-605" in 13-7-603(a) in the amendatory language of Section 1 and substituting instead the language "13-7-604".

On motion, Amendment No. 7 was adopted.

Senator Swann moved that Amendment No. 8 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 9

AMEND by deleting all language after the caption and substituting instead the following:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 7, is amended by adding the following new part:

13-7-601.

This part shall be known and may be cited as the "Short-Term Rental Unit Act."

13-7-602.

As used in this part:

(1) "Effectively prohibit" means a local governing body acts or fails to act in a manner that prevents a property owner from using the owner's property as a short-term rental unit after reasonable compliance with generally applicable local laws;

(2) "Generally applicable local law" means an ordinance, resolution, regulation, rule, or other requirement of any type other than zoning enacted, maintained, or enforced by a local governing body that applies to all property or use of all property and does not apply only to property used as a short-term rental unit;

(3) "Lawfully used as a short-term rental unit" means the property was permitted or expressly authorized to operate as a short-term rental unit pursuant to a properly adopted ordinance;

(4) "Local governing body" means the legislative body of a city, municipality, county, or other political subdivision of this state that has authority to enact a zoning ordinance, resolution, regulation, rule, or other requirement of any type regarding land use in its jurisdiction;

(5) "Prohibit" means to forbid or ban the operation of short-term rental units, either permanently or temporarily, within a local governing body's jurisdiction, portion of the local governing body's jurisdiction, or a portion of an owner's property;

(6) "Property" means a tract of land as recorded with the register of deeds office of the county where the property is located;

(7) "Provider" means any person engaged in renting a short-term rental unit and includes an owner of a residential unit that is made available through a vacation lodging service as that term is defined in § 62-13-104;

(8) "Residential dwelling" means a cabin, house, or structure used or designed to be used as an abode or home of a person, family, or household, and includes a single-family dwelling, a portion of a single-family dwelling, or an individual residential dwelling in a multi-dwelling building, such as an apartment building, condominium, cooperative, or timeshare;

(9) "Short-term rental unit" or "unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and does not include a hotel as defined in § 68-14-302 or a bed and breakfast establishment or a bed and breakfast homestay as those terms are defined in § 68-14-502; and

(10) "Short-term rental unit listing service" means a person that facilitates or arranges the renting of short-term rental units, whether through the listing of short-term rental units on a website or through other means.

13-7-603.

(a) Except as otherwise provided in subsection (b), an ordinance, resolution, regulation, rule, or other requirement of any type that prohibits, effectively prohibits, or otherwise regulates the use of property as a short-term

rental unit shall not apply to property if the property was being lawfully used as a short-term rental unit by the owner of the property prior to the enactment of the ordinance, resolution, regulation, rule, or other requirement by the local governing body. The ordinance, resolution, regulation, rule, or other requirement in effect at the time the property began being lawfully used as a short-term rental unit is the law that governs the use of the property as a short-term rental unit until the property is sold, transferred, ceases being used as a short-term rental unit for a period of thirty (30) continuous months, or has been in violation of a generally applicable local law three (3) or more separate times as provided by § 13-7-604. For purposes of this subsection (a), an ordinance, resolution, regulation, rule, or other requirement is in effect at the time it is lawfully enacted by the local governing body and not the time in which it is introduced for consideration by the local governing body. It is the intent of this subsection (a) to provide an owner of property with continued lawful use of the property without impairment from a local governing body.

(b) Notwithstanding subsection (a), an ordinance, resolution, regulation, rule, or other requirement of any type enacted prior to January 1, 2014, that prohibits or effectively prohibits the use of property as a short-term rental unit may apply to any property within a local governing body's jurisdiction, regardless of the property's existing use. However, this subsection (b) applies only to ordinances, resolutions, regulations, rules, or other requirements that expressly limit the period of time a residential dwelling may be rented, and does not apply to ordinances, resolutions, regulations, rules, or other requirements that generally prohibit commercial activity or the renting of residential dwellings to transients. It is the intent of this subsection (b) to grandfather ordinances, resolutions, regulations, rules, or other requirements that provided notice to property owners that renting a residential dwelling unit under a specified period of time was unlawful prior to a substantial number of property owners using their property as short-term rental units.

13-7-604.

(a) Section 13-7-603 does not prevent a local governing body from prohibiting the continued use of property as a short-term rental unit if, as a direct result of the operation of the short-term rental unit, the unit has been in violation of a generally applicable local law three (3) or more separate times, and the provider has no appeal rights remaining for any of the three (3) violations. The burden of proof that a violation of a generally applicable local law was a direct result of the operation of the short-term rental unit is on the local governing body.

(b) The local governing body may authorize short-term rental units through a permitting process, as long as the permitting process does not prohibit the continued use of property as provided in § 13-7-603(a) or otherwise conflict with this part. A local governing body that accepts public complaints regarding the operation of short-term rental units in its jurisdiction pursuant to a permitting process shall assure that all complainants are notified that any false complaint made against a short-term rental unit provider shall be punished as perjury under § 39-16-702.

(c) If a local governing body prohibits, effectively prohibits, or otherwise regulates property being used as a short-term rental unit that is also subject to § 13-7-603(a), the provider has the right to appeal the prohibition or limitation. The circuit or chancery court has jurisdiction of any appeal instituted by a provider pursuant to this subsection (c) and review is de novo.

13-7-605.

Nothing in this part prohibits:

(1) A condominium, co-op, homeowners association, or other similar entity from prohibiting or otherwise restricting an owner of property within the jurisdiction of the condominium, co-op, association, or other similar entity from using the owner's property as a short-term rental unit as provided for in the entity's governing documents;

(2) A lessor, through the terms of a lease agreement, from restricting the use of the leased property as a short-term rental unit; or

(3) A property owner from placing a restrictive covenant or easement on the property that restricts the future use of the property as a short-term rental unit as authorized under existing law.

13-7-606.

This part supersedes any ordinance, resolution, regulation, rule, or other requirement of any type enacted, maintained, or enforced by a local governing body that is in conflict with this part.

SECTION 2. Tennessee Code Annotated, Section 68-14-302(6), is amended by adding the following language to the end of the subdivision:

"hotel" does not include a short-term rental unit, as defined in § 13-7-602;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Stevens moved that Amendment No. 9 go to the table, which motion failed by the following vote:

Ayes 11
Noes 19

Senators voting aye were: Bell, Green, Gresham, Jackson, Johnson, Niceley, Pody, Reeves, Roberts, Stevens and Yager--11.

Senators voting no were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Haile, Harper, Hensley, Ketron, Kyle, Lundberg, Massey, Southerland, Swann, Tate, Watson, Yarbrow and Mr. Speaker McNally--19.

On motion, Amendment No. 9 was adopted by the following vote:

Ayes 18
Noes 13

Senators voting aye were: Bailey, Briggs, Crowe, Dickerson, Gardenhire, Haile, Harper, Hensley, Ketron, Kyle, Lundberg, Massey, Reeves, Southerland, Swann, Tate, Watson and Yarbrow--18.

Senators voting no were: Bell, Bowling, Green, Gresham, Jackson, Johnson, Kelsey, Niceley, Pody, Roberts, Stevens, Yager and Mr. Speaker McNally--13.

Senator Yarbrow moved that Amendment No. 10 be placed at the heel of the Amendments, which motion prevailed.

Senator Dickerson moved that Amendment No. 11 be placed at the heel of the Amendments, which motion prevailed.

Senator Dickerson moved that Amendment No. 12 be placed at the heel of the Amendments, which motion prevailed.

Senator Dickerson moved that Amendment No. 13 be placed at the heel of the Amendments, which motion prevailed.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 4 was withdrawn.

On motion of Senator Watson, Amendment No. 5 was withdrawn.

On motion of Senator Swann, Amendment No. 8 was withdrawn.

Senator Yarbrow moved to amend as follows:

AMENDMENT NO. 10

AMEND by deleting the following language:

A local governing body that accepts public complaints regarding the operation of short-term rental units in its jurisdiction pursuant to a permitting process shall assure that all complainants are notified that any false complaint made against a short-term rental unit provider shall be punished as perjury under § 39-16-702.

and substituting instead the following language:

A local governing body that accepts public complaints regarding the operation of short-term rental units in its jurisdiction pursuant to a permitting process shall assure that there is a good faith basis for a complaint prior to taking any adverse action against a provider based on the complaint.

THURSDAY, APRIL 5, 2018 -- 68TH LEGISLATIVE DAY

On motion, Amendment No. 10 failed by the following vote:

Ayes 12
Noes 17

Senators voting aye were: Briggs, Crowe, Dickerson, Gardenhire, Kelsey, Ketron, Kyle, Swann, Tate, Watson, Yarbrow and Mr. Speaker McNally--12.

Senators voting no were: Bailey, Bell, Bowling, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Lundberg, Niceley, Pody, Reeves, Roberts, Stevens and Yager--17.

On motion of Senator Dickerson, Amendment No. 11 was withdrawn.

On motion of Senator Dickerson, Amendment No. 12 was withdrawn.

On motion of Senator Dickerson, Amendment No. 13 was withdrawn.

Thereupon, **House Bill No. 1020**, as amended, passed its third and final consideration by the following vote:

Ayes 25
Noes 4

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Stevens, Swann, Watson, Yager and Mr. Speaker McNally--25.

Senators voting no were: Dickerson, Harper, Kyle and Yarbrow--4.

A motion to reconsider was tabled.

MOTION

Senator Ketron moved the Proposed Schedule for the week of April 9, 2018, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
110th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF APRIL 9, 2018**

MONDAY – April 9

No Session

TUESDAY – April 10

2:00 p.m.

Finance, Ways & Means Committee

WEDNESDAY – April 11

8:30 a.m.

Session – Senate Chamber

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11:00 a.m.	Transportation & Safety Committee
12:00 noon	Lunch
1:00 p.m.	Education Committee
3:00 p.m.	Finance, Ways & Means Committee

THURSDAY – April 12

8:30 a.m. Session – Senate Chamber

MOTION

On motion of Senators Bailey, Bowling, Haile, Ketron and Yager, their names were added as sponsors of **Senate Bill No. 270**.

On motion of Senator Reeves, his name was added as sponsor of **Senate Bill No. 2722**.

On motion of Senators Briggs and Massey, their names were added as sponsors of **Senate Joint Resolution No. 817**.

On motion of Senator Harper, her name was added as sponsor of **Senate Joint Resolution No. 818; and House Joint Resolution No. 995**.

On motion of Senators Briggs, Massey and Mr. Speaker McNally; and Senators Bailey, Bell, Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Yarbrow, their names were added as sponsors of **House Joint Resolution No. 875**.

On motion of Senators Jackson, Gresham, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Haile, Harper, Hensley, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolution No. 904**.

On motion of Senators Green, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolution No. 910**.

On motion of Senators Bell, Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolution No. 934**.

On motion of Senator Watson, his name was added as sponsor of **House Joint Resolution No. 984**.

On motion of Senator Massey, her name was added as sponsor of **House Joint Resolutions Nos. 991 and 992**.

THURSDAY, APRIL 5, 2018 -- 68TH LEGISLATIVE DAY

On motion of Senators Briggs, Massey and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolutions Nos. 986, 987 and 988.**

ENGROSSED BILLS

April 5, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 270, 900, 2458 and 2501; and Senate Joint Resolutions Nos. 817, 818, 819, 820 and 821; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

April 5, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 2443, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

April 5, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolution No. 864, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1543, 1728, 1731, 2039, 2068, 2230 and 2278; passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2000, passed by the House.

TAMMY LETZLER,
Chief Clerk

THURSDAY, APRIL 5, 2018 -- 68TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2681, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 879, 954, 1065, 1066, 1067, 1068, 1069 and 1070; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1640, 2443, 2465, 2634 and 2719; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 492, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 860 and 785, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 864, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

April 5, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 492, 785, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 860 and 864; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENROLLED BILLS

April 6, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 1640, 2443, 2465, 2634 and 2719; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1473, 1605, 1671, 1701, 1870, 1888, 2006, 2153, 2174, 2189, 2331, 2423 and 2636; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 6, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 875, 904, 910, 934, 984, 986, 987, 988, 989, 990, 991, 992, 993 and 995; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

April 5, 2018

The Speaker announced that he had signed the following: Senate Bills Nos. 1914, 1936, 2023, 2549, 2583, 2638 and 2704; and House Bills Nos. 1686, 1707, 1816, 1966, 1976, 2002, 2029, 2304, 2444 and 2524.

SIGNED

April 5, 2018

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 492, 785, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 860 and 864.

THURSDAY, APRIL 5, 2018 -- 68TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1386, 1596, 1618, 1690, 1697, 1736, 1796, 1921 and 1927; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1914, 1936, 2023, 2549, 2583, 2638 and 2704; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2002, 2064, 2066, 2068, 2174, 2210, 2243, 2248, 2255, 2260, 2306, 2461 and 2524; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 5, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 492, 785, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 860 and 864; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

April 5, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 670, 797 and 836; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

April 6, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 1386, 1596, 1618, 1690, 1697, 1736, 1796, 1914,

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1921, 1927, 1936, 2002, 2023, 2064, 2066, 2068, 2174, 2210, 2243, 2248, 2255, 2260, 2306, 2461, 2524, 2549, 2583, 2638 and 2704; and Senate Joint Resolutions Nos. 492, 785, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 860 and 864; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

April 6, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 2260, with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

MESSAGE FROM THE GOVERNOR

April 6, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 537, 542, 545, 546, 670, 761, 762, 763, 764, 765, 766, 769, 770, 771, 772, 773, 774, 775, 776, 778, 779, 780, 781, 782, 783, 784, 786, 797, 806 and 836; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, April 11, 2018: Senate Joint Resolutions Nos. 822, 823, 825, 827, 828, 829, 830, 831, 832, 833, 834, 835, 837, 838, 839, 840, 841, 842, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 856, 857 and 858; Senate Resolutions Nos. 181, 182, 183, 184, 185 and 186; and House Joint Resolutions Nos. 873, 908, 996, 997, 998, 999, 1000, 1002, 1005, 1006, 1009, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063 and 1064.

This the 6th day of April, 2018
ROBERTS, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, April 11, 2018: Senate Bills Nos. 1701, 1859, 1875, 2121, 2346 and 2538; Senate Joint Resolution No. 727; and Senate Resolution No. 164.

This the 6th day of April, 2018
ROBERTS, Chairperson

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**REPORT OF COMMITTEE ON CALENDAR
LOCAL CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Wednesday, April 11, 2018: Senate Bills Nos. 2742 and 2749.

This the 6th day of April, 2018
ROBERTS, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, April 11, 2018: Senate Bills Nos. 2628, 2332, 2333, 444, 1133, 1281, 1399, 1499, 1512, 1602, 1623, 1793, 1803, 2155, 2331, 2362, 2504, 2518, 2677, 1890, 1894, 2029, 2658, 2682, 1755, 1842, 1915 and 2054; and House Bills Nos. 2082 and 2195.

This the 6th day of April, 2018
ROBERTS, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Wednesday, April 11, 2018: Senate Bills Nos. 1789 and 912.

This the 6th day of April, 2018
ROBERTS, Chairperson

ADJOURNMENT

Senator Ketron moved the Senate adjourn until 8:30 a.m., Wednesday, April 11, 2018, which motion prevailed.